

SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** Monday 16th December 2019

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WARD(S): All

PORTFOLIO: Housing – Cllr Mohammed Nazir

PART I **KEY DECISION**

AMENDMENT OF THE TEMPORARY ACCOMMODATION (TA) AND PRIVATE SECTOR PLACEMENT POLICY

1 Purpose of Report

1.1 The purpose of this report is to amend the current policy to offer options, to house homeless households out of Slough. This will also stop these households from being accepted as homeless in Slough, after their two years tenancy expires. The Proposed amendments will be reviewed after 1 year.

2 Recommendations (Proposed Actions)

2.1 The Cabinet is requested to resolve that delegated authority be given to the Director of Place and Development, following consultation with the Lead Member for Housing, the decision to agree the resource allocation for this policy going forward.

3a Joint Wellbeing Strategy Priorities

The proposal meets the following priorities of the Joint Wellbeing Strategy:

- The improvement of choice in housing supply in Slough by expanding the area allowed for the allocation of affordable homes, will achieve a number of objectives, including households being moved out of unsatisfactory housing.

3b Five Year Plan Outcomes

The proposal also makes the following contributions to corporate objectives:

Outcome 4: Our residents will have access to good quality homes

- The proposed amendment will enable more homeless households in temporary accommodation to be housed in suitable, settled homes.

4 Other Implications

(a) Financial

There is currently a financial pressure due to the number of households in temporary accommodation. This is reported to members regularly. The current financial impact of this proposed change will be contained within existing budgets.

(b) Risk Management

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
Approve the proposed amendments.	The rise in the numbers seeking homeless assistance.	The increased placement area will provide the extra affordable housing for households in need.	Low.	The proposed amendments will be reviewed after 1 year.

(c) Human Rights Act and Other Legal Implications

- There are no human rights implications arising from this report.
- The introduction of the Localism Act 2011 has had a significant impact on how Councils can deal with applications for social housing and homelessness applications under Parts 6 and 7 of the Housing Act 1996. The Homelessness changes were enacted on 9 November 2012. Under the previous legislation, local authorities were able to discharge their main homelessness duty to customers who were homeless only with the customer's explicit agreement (formally known as a 'qualifying offer').
- Since 9th November 2012, the Localism Act enabled Councils to fully discharge the full housing duty by a private rented sector offer (PRSO). The property must be suitable, but now does not require the customer's agreement to be a valid offer. The changes were not retrospective and applied only to new customers from 9th November 2012. Following enactment of the relevant parts of the Localism Act on 9th November 2012, anyone provided with accommodation in the private rented sector as final discharge of a homelessness duty is no longer considered to have a Reasonable Preference for an allocation of social housing by reason of homelessness.
- This allows Council policies to reflect the reality that there is insufficient social housing available to meet the need to provide stable accommodation for the number of people in temporary accommodation (also the waiting list in general). This has changed the historical link between making a homeless application and being placed in Social Housing. However, the existing Allocations Policy introduced a 5 year residential criteria, disqualifying some homeless households from social housing already.

- On the 9th November 2012, the Government introduced new guidance for Councils covering homelessness and the suitability of accommodation for private rented sector offers. Officers are required to have regard to this guidance when seeking to discharge the full homelessness duty into the private rented sector. It is important to note that existing guidance on suitability contained in the Homelessness Code of Guidance 2006 continues to apply.

(d) **Equalities Impact Assessment**

An equalities impact assessment (EIA) has been carried out (see Appendix 1). The Council will consider the individual equality impact on each case before making a placement decision. This proposed policy amendment will pay due regard to every personal circumstance.

(e) **Property**

Any accommodation sourced in the private sector must be suitable and meet current standards being reached for existing properties in Slough.

5 Supporting Information

- 5.1 The introduction of the Homelessness Reduction Act 2017, which introduces a 56 days window for councils to try to prevent homelessness and other recent reforms, mean that the introduction of an out of borough housing policy is necessary.
- 5.2 There is ample evidence and studies showing the damage caused by lengthy stays in temporary accommodation to both adults and child development. The nature of temporary accommodation also means that households have to move several times, making it difficult to build links or put down roots. The Local Housing Allowance which dictates the rent paid to private sector landlords makes it difficult to source affordable accommodation within Slough making households remain longer in temporary accommodation, when they could be housed faster in affordable settled accommodation, if accommodation outside of Slough were considered.
- 5.3 The introduction of an out of borough policy will offer options to the council to increase the number of offers available to homeless households. However, for those households who do not want to move out of Slough, it might generate complaints, litigation, formal reviews and distress for those households. It is also likely to attract considerable Member interest through enquiries. In an environment where the allocation of accommodation is already considerably challenged, the introduction of this policy will increase this volume.
- 5.4 This proposal offers the possibility of using pathways by which households will reduce their stay in expensive temporary accommodation and be offered affordable accommodation, which meets their needs.
- 5.5 Officers will initially target areas as close to Slough as possible. However, properties will be sourced outside of these areas should there be a need to access more properties.

5.6 Looking at the impact on households, the table below shows this: -

Households Potentially Eligible for Out of Borough Moves	Ethnic Mix	Less than 5 Years Residency in Slough	Children under 18	Child Age Groups	Household Imports into Slough: 2016 - 2019
231	White = 32%; Asian = 29%; Black = 18% Other =21%	147	194	0 - 6 = 106; 7 - 12 = 61; 13 - 18 = 27	From London = 420; From Other Surrounding Areas = 230

5.7 This is the criteria, which will determine if a household is offered Private Sector or other accommodation outside of Slough: -

- Households who choose to live outside of the borough;
- Households for whom living outside Slough is the best housing option following assessment;
- Households who have expressed a preference to live in a particular area. Area of choice will be considered where possible when making a Private Rented Sector Offer (PRSO), but cannot be guaranteed;
- Households who have previously lived in the private rented sector;
- Households in temporary accommodation where the costs are above what is covered by Local Housing Allowance and additional costs are falling on either the individual or the council and where arrears have accrued;
- Households who wish to be placed outside of the borough but do not meet the required risk level to go to MARAC (Multi Agency Risk Assessment Conference). This could be households who feel they are at risk of violence if they remain within Slough;
- Households in temporary accommodation who require longer term housing as a matter of urgency;
- Households accepted as being threatened with homelessness and owed a full housing duty and where a PRSO will avoid the family having to move into temporary accommodation;
- Households with school-aged children where the child is not in an exam year.

5.8 Criteria which excludes a household from receiving a Private Rented Sector Offer or other outside of Slough: -

- They are receiving treatment for a physical or mental health condition from a specialist hospital unit which cannot be transferred to another NHS service or they are at a critical point in their treatment;
- They have a longstanding arrangement to provide essential care and support to another family member in Slough who is not part of the household. Carers will need to be in receipt of a Carer's Allowance;

- Children subject to a Child Protection Plan in Slough who cannot be transferred to another local authority without causing serious detriment to that child's welfare;
- Children subject to an Education Health and Care Plan in Slough who cannot be transferred to another local authority without causing serious detriment to the child's welfare;
- Members of the Armed Forces, in line with Slough's commitment to the Armed Forces Community Covenant;
- Exceptional circumstances relating to the need for the provision of long term social housing to provide longer term stability for a household (this could be where a household requires an adapted property to meet their long term disability needs) and
- Other circumstances which demonstrate an exceptional and compelling need that cannot be met outside the borough (this will be subject to the Housing Panel's decision).

6 Comments of Other Committees

6.1 This report has not been considered by any other committees.

7 Conclusion

- 7.1 Officers do not feel that they have any choice but to offer this proposed policy amendment for Members to consider. It should be noted that in the majority of cases, officers will seek to contain any out of borough offers as close as possible to Slough. However, depending on supply, offers further out will be considered but this will depend on the prevailing circumstances and the situation in relation to temporary accommodation numbers at the time.
- 7.2 Officers recognise that the implementation of an out of borough policy will impact negatively on some households but hope that by initially introducing the scheme to the areas mentioned, will help to reduce the impact which potentially will occur.

Appendices Attached

(1) Equalities Impact Assessment

Background Papers None

Temporary Accommodation (TA) & Private Sector Placement Policy (PRSO)

Equality Impact Assessment

SECTION	HOUSING (People) SERVICES
ASSESSMENT OFFICER/TEAM	THE HOUSING DEMAND TEAM
POLICY / STRATEGY TO BE ASSESSED	Temporary Accommodation (TA) and Private Sector Placement Policy (PRSO)

AIMS OF THE POLICY	The purpose of the policy is to propose an amendment to the temporary accommodation and private sector placement policy to include housing homeless households outside of Slough.			
Are there any other functions, policies or services, which might be linked with this one	This Policy is linked to the Slough Housing strategy, the Slough wellbeing strategy, the Slough five year plan and the Homeless Prevention Strategy			
Who will benefit from this policy / service /function	The residents of Slough Borough Council			
Who was consulted	No consultation has taken place			
	Positive Impact	Negative Impact	Neither	Reason / Comment / Evidence
Age	X			The policy will impact service delivery to every age group. The basis for the amendment is to reduce the time spent in temporary accommodation by all groups
Disability	X			Disabled customers facing homelessness are impacted by this policy as they will be open to a wider pool of possibly suitable accommodation to meet their needs
Gender	X			This policy will expand the pool of accommodation available to specific

				groups especially where specific gender suited accommodation is required. This policy whilst catering for all genders will look to deliver improved services for specific groups based on need. e.g. customers fleeing domestic abuse
Religion / belief			X	The proposed expansion of accommodation pool, will not impact the religious belief of customers
Race / Ethnicity	X			Ethnic minority groups are likely to be in low income groups. The policy changes will enable these households to have more access to a wider pool of settled affordable homes.
Marital status	X			The proposed changes will enable families, who make up almost 80% of all accepted cases, to spend less time in unsuitable accommodation by expanding the area of choice
Sexuality			X	There are no direct implications on the basis of sexuality
Please give a brief description of how this policy benefits the equality target groups identified in the above table, i.e. promotes Equality?	The 24- 45 age group, single parent households, disabled customers and young family groups, who make up the bulk of accepted cases, will benefit from the proposed policy changes. As the proposed changes will reduce temporary accommodation stay and any threat to homelessness and rough sleeping.			
Please describe the groups that will benefit from this policy, i.e. numbers from the groups mentioned above but in homelessness stages	<p>The groups listed below will benefit from this policy in that they will get into settled accommodation faster and in an area of their choice rather than the uncertainty of temporary accommodation and the threat of homelessness and rough sleeping.</p> <ul style="list-style-type: none"> • Groups who are eligible and homeless but not in priority or intentionally homeless groups – 65 households • Groups in temporary accommodation who have chosen to move away for personal or welfare reforms reasons - 25 households • Groups who have no local connection but are owed a duty - 147 households <p>These are estimates based on interaction with homeless households and the available data.</p>			

<p>If there is a negative impact on any equality target group, is the impact Intended or legal? If no, then full Equality Impact Assessment should be Completed.</p>	<p>N/A</p>
<p>What actions could be taken to amend the policy/service to minimise the low negative impact?</p>	<p>Review the impact of this policy in 12 months, by analysing data and findings</p>

Recommendation:

Full Equality Impact Assessment required : **NO**

The service to review the outcomes of the policy after a year and adjust where appropriate.